

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55522 of 2024**

Arising Out of PS. Case No.-56 Year-2024 Thana- BISHUNPUR CHOWK District-
Darbhanga

Arjun Kumar Son Of Jaga Sahni @ Bachchelal Sahni Village- Vijay Chapra
P.S.- Ahiyapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65611 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- BISHUNPUR CHOWK District-
Darbhanga

Abhishek Kumar Son of Rajdev Sahni Resident of Village- Vijay Chapra,
P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55522 of 2024)

For the Petitioner/s : Mr. Kumar Praveen, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 65611 of 2024)

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 22-11-2024 Heard the learned Advocate for the petitioners and the

learned APP for the State.

2. Both the applications are arising out of same P.S.

case and, as such, with the consent of the parties, are being

heard together and disposed off by the common order.

3. The petitioners seek regular bail, who are in



custody in connection with Bishanpur P.S. Case No. 56 of 2024, registered for the offence punishable under Section 394 of the Indian Penal Code and Section 25(1-B)A, 26 and 35 of the Arms Act.

4. It is alleged that on 18.05.2024, while the informant was proceeded to his Customer Service Point on his motorcycle along with cash amount, in the meantime, he was intercepted by miscreants and on the point of pistol, they snatched the cash amount of Rs. 5,95,275/- and flew away. However, on an alarm raised by the informant, the villagers assembled and apprehended two miscreants, who are before this Court. On search, from the possession of petitioner in Cr. Misc. No. 65611 of 2024, cash amount of Rs. 1,50,000/- and from the possession of the petitioner in Cr. Misc. No. 55522 of 2024 Rs.1,21,810/- were recovered. Seizure list also suggest that one knife and a toy pistol were also recovered from the possession of these petitioners.

5. Learned Advocate appearing on behalf of the petitioners contended that in fact, no such occurrence had taken place. On account of a road accident, the villagers assembled there and when the scuffle had taken place, their names have been implicated by making a concocted case of loot. It is next



contended that in a such small time, as has been alleged in the FIR, it can hardly be believed that one of the co-accused person has succeeded in fleeing away, after taking away his proportionate share, as has been alleged in the FIR. It is also contended that during the course of investigation, one *Julum Kumar Saday* was apprehended by the police, from whose possession, some looted articles were recovered, he has been allowed the privilege of regular bail by this Court in Cr. Misc. No. 46658 of 2024 vide order dated 10.07.2024. It is also the contention of the petitioner that so far the petitioner in Cr. Misc. No. 55522 of 2024 is concerned, he is having fair antecedent and now he has been incarcerated since 19.05.2024.

6. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners were apprehended at the place of occurrence, while they were fleeing, after commission of the crime. The recovery of the looted articles also suggest their involvement in the crime, in question, coupled with the fact that one of the petitioner in Cr. Misc. No. 65611 of 2024 bears two criminal antecedent.

7. Regard being had to the submissions made on behalf of the parties and considering the materials available on



record, especially, the seizure list and the nature of allegation, moreover, the petitioners were apprehended at the place of occurrence with the looted articles, this Court is not acceded to the prayer for grant of bail to the petitioners. However, the petitioners are at liberty to renew their prayer for bail, immediately after framing of the charge.

8. It is expected that the learned trial Court shall expedite the trial and take all endeavours to frame the charge and expedite the trial.

9. Accordingly, the prayer for grant of bail to the petitioners stand rejected.

(Harish Kumar, J)

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